

EXHIBIT 1

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

<i>In re</i> Ex. Parte Application of)	
)	
APPLE INC.; APPLE DISTRIBUTION)	
INTERNATIONAL; AND APPLE RETAIL)	
GERMAN B.V. & CO. KG)	
)	
Applicants,)	Case No. _____
)	
For an Order Pursuant to 28 U.S.C. § 1782)	
Granting Leave to Obtain Discovery from)	
James Prusko for Use in Foreign)	
Proceedings)	
)	
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**[PROPOSED] ORDER GRANTING *EX PARTE* APPLICATION OF APPLE INC. *ET AL*
FOR AN ORDER PURSUANT TO 28 U.S.C. § 1782 GRANTING LEAVE TO OBTAIN
DISCOVERY FOR USE IN A FOREIGN PROCEEDING**

This matter comes before the Court in the *Ex Parte* Application of Apple, Inc., Apple Distribution International Limited, and Apple Retail Germany B.V. & Co. KG (collectively, “Apple”) for an Order to Obtain Discovery for Use in Foreign Proceedings pursuant to 28 U.S.C. § 1782(a) (the “Application”), which seeks documents and testimony from James Prusko in connection with a patent litigation proceeding pending between Apple and Scramoge Technology Limited in Germany.

This Court, having fully considered the papers on file and submitted herewith, and good cause appearing, **HEREBY GRANTS** the Application of Apple.

IT IS HEREBY ORDERED that:

- (1) Apple is granted leave to issue subpoenas for production of documents and deposition testimony to Mr. Prusko in substantially the same form attached as Exhibits 2 and 3 to the Declaration of Nora Q.E. Passamaneck filed in support of this Application; and
- (2) Along with any subpoenas, Apple shall serve Mr. Prusko with a copy of this Order.

IT IS SO ORDERED.

Dated: _____

United States District Judge